



The Dow Chemical Company
100 Independence Mall West
Philadelphia, PA 19106-2399
U.S.A.

October 26, 2010

VIA FEDERAL EXPRESS

Craig Whitenack, Civil Investigator
United States Environmental Protection Agency
Region IX, Southern California Field Office
600 Wilshire Blvd., Suite 1460
Los Angeles, California 90017

**Re: Supplemental Response – Yosemite Creek Superfund Site, San Francisco,
CA - Response to 104(e) Information Request**

Dear Mr. Whitenack:

This letter supplements The Dow Chemical Company's ("Dow's") January 8, 2010 response to the United States Environmental Protection Agency's ("EPA's") October 15, 2009 request for information regarding the Yosemite Creek Superfund Site. Dow hereby incorporates all of its original objections included in its January 8, 2010 response to the Request for Information in this supplement. Dow provides the below supplemental information:

2. Provide the name (or other identifier) and address of any facilities where Respondent carried out operations between 1940 and 1988 (the "Relevant Time Period") and that:

a. ever shipped drums or other containers to the BAD Site for recycling, cleaning, reuse, disposal, or sale.

b. are/were located in California (excluding locations where ONLY clerical/office work was performed).

c. are/were located outside of California and shipped any drums or other containers to California for recycling, cleaning, reuse, disposal, or sale (for drums and containers that were shipped to California for sale, include in your response only transactions where the drums and containers themselves were an object of the sale, not transactions where the sole object of the sale was useful product contained in a drum or other container).

Objection: Dow incorporates its original objections outlined in its January 8, 2010 response. Dow objects to this Question on the grounds that it seeks information that is irrelevant, overly broad, and unduly burdensome and beyond the scope of EPA's statutory authority under section 104(e)(2). Subject to and without waiving this objection, Dow provides the following information:

Response:

As stated in the original response to EPA's request for information, Dow operates a plant in Pittsburg, California. The plant, located at 901 Loveridge Rd., opened in 1916 and was owned and operated at the time by Great Western ElectroChemical Company. In November of 1938, Dow acquired the plant and has continued operations to this day, except for vinyl operations, which, upon information and belief, were closed down in 2008. After further review of its records and discussion with employees, Dow was unable to identify any relationship between the Pittsburgh facility and the BAD Site or any further responsive information. However, Dow encloses copies of documents it received from California DTSC pursuant to an information request regarding the Bay Area Drum investigation as "Exhibit A." Dow understands these documents are in EPA's possession.

Dow located supplemental information regarding facilities that it owns, or has owned in the past, at multiple addresses in California. The below table encompasses all information currently available to Dow concerning each facility:

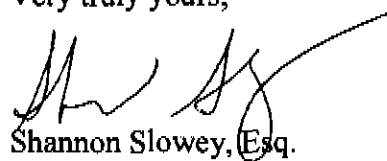
Company:	Site:	Address:	History:
The Dow Chemical Company	Torrance, CA	305 Crenshaw Blvd. Torrance, California 90503	In May of 2008, polystyrene operations were divested to AmericasStyrenics, LLC, a 50:50 Dow joint venture with Chevron Phillips Chemicals. Polystyrene facilities were then sold to Bain Capital in June 2010. Dow Styrofoam operations were shut down in approximately August of 2010.
The Dow Chemical Company	Long Beach, CA (Marine Terminal)	305 Henry Ford Ave. Long Beach, CA 90805	Sold to Vopak Terminal Long Beach, Inc. in 2003.
The Dow Chemical Company	Walnut Creek, CA	2800 Mitchell Drive Walnut Creek, CA 94598	Ceased operations in December of 1992 and facilities dismantled and removed in 1993.
DowBrands, Inc.	Fresno, CA	4787 Date Avenue, Fresno, 93725	Divested by Dow in 1997/1998 to SC Johnson.
Cordis Dow Corp.	Concord, CA	Bisso Lane Concord, CA 94520	Remained in Concord, based on information and belief, from approximately 1975 or early 1976 until closed in 1986. Name changed to CD Medical in 1983 and was subsequently divested by Dow in 1990.

Company:	Site:	Address:	History:
Dowell	Santa Maria, Santa Paula, Bakersfield, CA	Exact address unknown	Dow divested its interest in Dowell Schlumberger to Schlumberger, Inc. in December 1992.
The Dow Chemical Company	San Diego, CA	5501 Oberlin Drive, San Diego, CA 92121	Based upon information and belief, this facility was sold to Pfenex in 2009. Dow is a minority shareholder in Pfenex.
The Dow Chemical Company	Bandini Boulevard, Los Angeles County (Warehouse)	4151 Bandini Boulevard, Los Angeles County	This facility was purchased in 1929 and sold in 1954.
The Dow Chemical Company	Venice, CA	Exact address unknown. Upon information and belief, property was located in Rancho LaBallona, LA County	This facility was purchased in 1936 and sold in 1961.
The Dow Chemical Company	Inglewood, CA	Centinela Avenue, Rancho Aguaje de La Centinella, Inglewood	This facility was purchased in 1946 and sold in 1970.
The Dow Chemical Company	Wilmington, CA	Exact address unknown. Upon information and belief, property was located on Tracts 13038 and 12257 of Rancho San Pedro, LA County	This facility was purchased in 1934 and sold in 1944.

After receipt of EPA's Follow Up Request for Information, Dow conducted a further corporate records search. Dow was unable to locate any other responsive information regarding its facilities and the BAD site. Dow reserves the right to supplement this response should any additional responsive information be discovered.

Should you have any questions, please do not hesitate to contact me. Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Shannon Slowey', with a long, sweeping horizontal line extending to the right.

Shannon Slowey, Esq.

Enclosure

cc: Nicholas van Aelstyn, Esq.

Exhibit A
The Dow Chemical Company's Supplemental Response

[REDACTED]

DANIEL E. LUNGREN
Attorney General

State of California
DEPARTMENT OF JUSTICE



2101 WEBSTER STREET, 12th FLOOR
OAKLAND, CA 94612
(510) 286-4200

FACSIMILE: (510) 286-4020
(510) 286-4123

February 9, 1996

Brent W. Schindler, Esq.
The Dow Chemical Company
PO Box 1398
Pittsburg, CA 94565

RECEIVED

FEB 12 1996

LEGAL DEPARTMENT

RE: 1212 Thomas Avenue, San Francisco and Environs
(Bay Area Drum Site)

Dear Mr. Schindler:

Enclosed pursuant to your request please find documents
pertaining to The Dow Chemical Company's past involvement with
the above-referenced Site.

Sincerely,

DANIEL E. LUNGREN
Attorney General

KEVIN JAMES
Deputy Attorney General

KJ:pam

Enclosures

CA:KEVIN(BAD)11.LYR

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

Case Number: 11293/012/38Date Rec'd Complaint: 01/14/92

EPA Number: _____

Hauler Reg. Number: _____

Date this Report: 09/11/92

REPORT OF INVESTIGATION

Subject: Bay Area Drum

(d.b.a.) (a.k.a) (c/o): _____

Address: 1212 Thomas Avenue, San Francisco, CA 94124.Allegation: PRP Search.

Findings/Disposition: _____

Recommendations: _____

Case closed: _____ Supplemental: X Other: _____Case sent to: City Atty.: _____ D.A.: _____ A.G.: _____ Other: Barbara Cook
Region 2 7/18/92SUMMARY:

On September 9, 1992, at 1015 hours Staff Services Analyst Monica Gan and I interviewed Jack Hamilton and David Cannon in the library at Region 2's Berkeley office. Hamilton and Cannon are former owners of Bay Area Drum (BAD), 1212 Thomas Avenue, San Francisco, California.

The interview began with me asking Cannon if he had come to the meeting freely, without any promises from the PRP group or representatives from the State of California. Cannon indicated he was at the meeting because of a desire to assist with information he knew we were compiling on PRP's. He was asked if he was represented by counsel. He indicated he was not, but if a suit were to be filed against him, an attorney from his insurance company would represent him.

Investigator: W. Motman Jr. 7/16/92
William MotmanSupervisor: Michael Berriessford
Michael Berriessford

9/18/92

Dow Chemical, located in Pittsburg, had drums with insecticides used for farming in them. Can asked if they remembered toxaphene. Both responded affirmatively. Solvents were also associated with Dow.

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

REGION 2

700 HEINZ AVE., SUITE 200
BERKELEY, CA 94710-2737

October 5, 1995

Mr. Jack Hamilton
728 Hemlock Avenue
South San Francisco, CA 94080

Dear Jack:

BAY AREA DRUM SITE CUSTOMER INTERVIEW TRANSCRIPTS

Thank you for the information you provided me last week regarding customers that sent drums to the Bay Area Drum site. Per our conversation last week, I am sending you our interview transcripts for your review. Please feel free to delete incorrect information, or to add any details that were left out. I can be reached at (510) 540-3767 if you have any questions. Thanks again for your help.

Sincerely,

Monica Gan
Assoc. Gov. Program Analyst

cc: Barbara Cook, P.E., Chief
Site Mitigation Branch

Enclosure



Printed on Recycled Paper

DOW CHEMICAL: Picked up a total of 5 or 6 loads of 240 drums/load between 1958 and '65.

TRJ 2

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

Case Number: 11293/012/38Date Rec'd Complaint: 01/14/92

EPA Number: _____

Hauler Reg. Number: _____

Date this Report: 07/17/92

REPORT OF INVESTIGATION

Subject: Bay Area DrumAddress: 1212 Thomas Avenue, San Francisco, CA 94124.Allegation: PRP Search.

Findings/Disposition: _____

Recommendations: _____

Case Closed: X Supplemental: X Other: _____Case sent to: City Atty.: _____ D.A.: _____ A.G.: _____ Other: BarbaraCook, Chief ^{74B}
Site Mitigation Br.SUMMARY:

On July 1, 1992, at approximately 1205 hours Staff Services Analyst (SSA) Monica Gan and I met with Jack Hamilton, former employee and owner operator at B.A.D., Steve Henshaw, Senior Product Manager in Charge of the environmental section of Romic Chemical, and Nic Smith, a private investigator with Nicholls Investigative Agency. Smith has been retained by a core group of PRP's who are represented by Heller, Ehrman, a San Francisco Law Firm. The meeting took place in the second floor conference room, Department of Toxic Substances Control, Region 2.

The meeting had been arranged by Henshaw and was originally to have included David Cannon, also a former owner/operator at the site. The question of Cannon's representation was raised again, and despite a letter from an attorney indicating she did not represent Cannon; and Cannon's apparent desire to give a statement, it was determined that Cannon would not be present at this meeting.

William Motmans 7/17/92
William Motmans
Special Investigator
Michael B. Berresford 7/24/92
Michael B. Berresford
Supervising Investigator

Hamilton then mentioned Dow Chemical, possibly in Pittsburg. He remembered Bedini taking out 5-6 diesel trucks containing 240 drums from that location.

— Dow Chemical (???): Hamilton remembered a large facility in Pittsburgh "off to the right of the freeway" but couldn't recall their name; he thought it might be Dow Chemical. He remembered picking up a total of 5 or 6 loads of 240 drums.